

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

STATE OF CALIFORNIA, et al.,

Plaintiffs,

v.

U.S. DEPARTMENT OF EDUCATION, et
al.,

Defendants.

Civil Action No. 25-10548-AK

**JOINT REQUEST TO APPEAR TELEPHONICALLY OR BY REMOTE MEANS AT
SCHEDULING CONFERENCE**

Plaintiff States and Defendants make this joint request to appear telephonically or by other remote means at the Scheduling Conference set for February 6, 2026, at 12:00 p.m. ECF No. 136.

In support of this Joint Request, the Parties state as follows:

BASIS FOR REQUESTED RELIEF

1. On January 15, 2026, this Court set a Scheduling Conference for February 6, 2026, at 12:00 p.m. ECF No. 136.

2. As set forth by this Court's Standing Order Regarding the Court's Scheduling Practices, the Scheduling Conference shall be held in person, unless the parties jointly request a remote hearing at least two business days before the Scheduling Conference. ECF No. 136.

3. This case is brought by eight Plaintiff States. Accordingly, lead counsel for most Plaintiffs in this action are located outside of the state of Massachusetts, including counsel intending to attend the Scheduling Conference.

4. The costs that would be incurred for these attorneys to appear in person at the Scheduling Conference, in terms of both travel and time charges, will be considerable. The Parties

respectfully submit that permitting their counsel to appear telephonically or by other remote means would advance the interests of justice by conserving financial resources.

5. Furthermore, the Parties respectfully submit that counsel's ability to respond to any questions this Court may have at the Scheduling Conference will not be diminished if counsel are permitted to appear telephonically or by other remote means.

6. Consistent with the Court's Standing Order and Local Rule 16.1, the Parties will meet and confer regarding whether the Parties may jointly recommend a proposed schedule which the Court may adopt in lieu of holding a Scheduling Conference. In the meantime, and so that counsel for the Parties may make all necessary plans, the Parties submit this joint request.

WHEREFORE, and by reason of the foregoing, the Parties jointly request that the Court permit the Parties to appear telephonically or by remote means for the February 6, 2026, Scheduling Conference.

Dated: January 22, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Megan Barriger
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Assistant Attorney General

Dated: January 22, 2026